

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RUSSELL GREER, Plaintiff, v. TAYLOR A. SWIFT, Defendant.	Case No. 3:18-cv-00394 Presiding Judge: Aleta A. Trauger Magistrate Judge: Alistair Newbern
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OPPOSITION TO MOTION FOR FINAL DEFAULT JUDGMENT

Defendant hereby opposes the Motion for Entry of Final Default Judgment filed by Plaintiff, and states as follows:

1. Plaintiff's Motion must be denied because the Defendant has not been served with a summons and the complaint in this action as required by Federal Rule of Civil Procedure 4. *Blake v. Bentsen*, 1995 U.S. Dist. LEXIS 22072, 1995 WL 428706 (S.D.N.Y. 1995) ("prerequisite to the entry of a default judgment against a defendant, however, is service of process on the defendant pursuant to Rule 4 of the Federal Rules of Civil Procedure. No service of process was made on Defendant in the instant case. Thus, Defendant cannot be in default.")
2. The entity allegedly served, Venable LLP, is not a party to this action and is not authorized to accept service on behalf of the Defendant.
3. This Motion is being filed for the limited purpose of ensuring that the Court does not enter a default judgment against Defendant for the reason stated above. Defendant is not entering an appearance in this action and reserves all rights and defenses in the event service is ever obtained.

DATED: September 14, 2018

Respectfully submitted,

/s/ Natalya L. Rose

Natalya L. Rose (No. 021701)

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Suite 300

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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2018, the foregoing Opposition to Motion for Final Default Judgment was filed through this Court's CM/ECF System and served by first-class mail, postage prepaid to:

Russell Greer
6337 South Highland Dr.
#209
Holladay, Utah 84121

Dated: September 14, 2018

/s/ Natalya L. Rose
Natalya L. Rose